

EXHIBIT C

Maria L. Nixon

From: Molshree Gupta
Sent: Tuesday, October 8, 2024 5:47 PM
To: Thomas Ferlauto; Patrick Stockalper
Cc: Arlene King; Philip Cohen; Barbara Ezra; Maria L. Nixon
Subject: RE: (610-2) Assif, Joshua v. County of Los Angeles / Request for W-9s
Attachments: Dec of Lt. Jennifer Roth [#59-1].pdf.pdf; Dec of M. Gupta re OSC Why Sanction Should Not Be Issued [#59].pdf.pdf; Motion To Enforce.pdf

Good afternoon, Mr. Ferlauto:

This will confirm that we conferred this afternoon regarding Plaintiff's prospective Motion to Enforce (attached).

You indicated your belief that the County has been acting in bad faith with respect to the settlement with Plaintiff, given the delay in the settlement approval process. You also indicated that you felt deceived by the County regarding the settlement approval process, and that you felt humiliated for having allowed yourself to be so deceived. The sentiments caught me by surprise, so I was unable to convey this during our Zoom call – however, I am sorry that you feel deceived and humiliated. This was certainly never the intention of the defense.

In response to the accusation that the County has been acting in bad faith with respect to the settlement with Plaintiff - I indicated to you that I had recently learned (in the context of another similarly situated settlement approval) of changes in the Department's settlement approval processes, which have caused the subject delay. I also offered to provide you filed Declarations in that other case regarding the changes and explaining the delay, to provide further context and information regarding the same. As promised, the Declaration are attached. I can also advise that the court in that case continued settlement completion deadline by 4-5 months in response to the explanations provided by the County.

The subject settlement in the Assiff case was approved by the Contract Cities Claims Board on October 2, 2024. During the call, I confirmed to you the most recent update (of today) that this settlement is on the Public Safety Cluster Agenda Review (CAR) for November 13, 2024, which is required for the settlement to be placed on the Board of Supervisors agenda for December 2024.

In response, you indicated that Plaintiff will agree not to file the attached Motion to Enforce *only* on two conditions:

- Agreement by the County to pay interest on the settlement amount; and
- Agreement by the County to complete payment of funds by end of 2024.

As promised, your sentiments and additional terms have been conveyed to the County. Unfortunately, we cannot accept Plaintiff's proposed additional terms. However, we continue to hope that you will extend your patience just a little bit further, as we are at the last steps of settlement approval.

Thanks,

Molshree Gupta
Partner
KJAR, McKENNA & STOCKALPER, LLP

From: Thomas Ferlauto <tmf@lawofficetmf.com>

Sent: Monday, October 7, 2024 1:30 PM

To: Patrick Stockalper <pstockalper@kmslegal.com>

Cc: Molshree Gupta <mgupta@kmslegal.com>; Arlene King <aking@kmslegal.com>; Philip Cohen <pcohen@pcohenlaw.com>; Barbara Ezra <bezra@kmslegal.com>; Maria L. Nixon <mnixon@kmslegal.com>

Subject: Re: (610-2) Assif, Joshua v. County of Los Angeles / Request for W-9s

Patrick:

I took the liberty of scheduling our Rule 7-3 conference tomorrow 10/8/24 at 2:00 p.m. The conference information is below. Please let me know whether you or Molshree will be attending.

Thank you,

Tom

RingCentral Video meeting.

Please join using this link:

<https://v.ringcentral.com/join/477236005>

Meeting ID: 477236005

One tap to join audio only from a smartphone:

+16504191505,,477236005# United States (San Mateo, CA)

Or dial:

+1 (650) 4191505 United States (San Mateo, CA)

Access Code / Meeting ID: 477236005

International numbers available: <https://v.ringcentral.com/teleconference>

LAW OFFICE OF
THOMAS M. FERLAUTO
A Professional Law Corporation

Direct Dial 310-849-7554

25201 Paseo de Alicia, Suite 270
Laguna Hills, CA 92653
Phone: 949-334-8650
Facsimile: 949-334-8691

Email: TMF@lawofficeTMF.com
Website: www.lawofficeTMF.com

The information contained in this e-mail message is information protected by attorney-client and/or the attorney/work product privilege. It is intended only for the use of the individual named above and the privileges are not waived by virtue of this having been sent by e-mail. If the person actually receiving this e-mail or any other reader of the e-mail is not the name recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please delete it immediately.

On Oct 7, 2024, at 12:18 PM, Thomas Ferlauto <tmf@lawofficetmf.com> wrote:

Patrick:

We cannot wait any longer. Please contact me today or tomorrow to discuss the enclosed proposed motion.

Thanks,

Tom

LAW OFFICE OF
THOMAS M. FERLAUTO
A Professional Law Corporation

Direct Dial 310-849-7554

25201 Paseo de Alicia, Suite 270
Laguna Hills, CA 92653
Phone: 949-334-8650
Facsimile: 949-334-8691

Email: TMF@lawofficeTMF.com

Website: www.lawofficeTMF.com

The information contained in this e-mail message is information protected by attorney-client and/or the attorney/work product privilege. It is intended only for the use of the individual named above and the privileges are not waived by virtue of this having been sent by e-mail. If the person actually receiving this e-mail or any other reader of the e-mail is not the name recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please delete it immediately.

On Oct 7, 2024, at 8:29 AM, Patrick Stockalper <pstockalper@kmslegal.com> wrote:

Tom:

Apologize for the delay in responding but I just got some further info this morning. The matter is expected to be on Board Supervisor agenda for approval in November at the earliest but more likely December.

Thank you and let me know if you have any further questions.

From: Thomas Ferlauto <tmf@lawofficetmf.com>

Sent: Thursday, October 3, 2024 11:47 AM

To: Molshree Gupta <mgupta@kmslegal.com>

Cc: Patrick Stockalper <pstockalper@kmslegal.com>; Arlene King <aking@kmslegal.com>; Philip Cohen <pcohen@pcohenlaw.com>; Barbara Ezra <bezra@kmslegal.com>; Maria L. Nixon <mnixon@kmslegal.com>

Subject: Re: (610-2) Assif, Joshua v. County of Los Angeles / Request for W-9s

Importance: High

Counsel:

Can we get a status on this?

It is October, and your last statement was that funds would be disbursed by month's end.

Thanks,

Tom

LAW OFFICE OF
THOMAS M. FERLAUTO
A Professional Law Corporation

Direct Dial 310-849-7554

25201 Paseo de Alicia, Suite 270
Laguna Hills, CA 92653
Phone: 949-334-8650
Facsimile: 949-334-8691

Email: TMF@lawofficeTMF.com
Website: www.lawofficeTMF.com

The information contained in this e-mail message is information protected by attorney-client and/or the attorney/work product privilege. It is intended only for the use of the individual named above and the privileges are not waived by virtue of this having been sent by e-mail. If the person actually receiving this e-mail or any other reader of the e-mail is not the name recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please delete it immediately.

On Aug 7, 2024, at 12:33 PM, Molshree Gupta
<mgupta@kmslegal.com> wrote:

Good afternoon, Counsel:

Apologies for the delay in providing an update on this matter. In candor, Risk Management has been bogged down due to the sheer number of cases requiring CAP/SCAP completion.

However, we are pleased to report that we have received an update in this matter this afternoon as follows:

- The CAP/SCAP is being circulated for final approval this week;
- Thereafter, we will be on an approximate 2-month timeline to complete various Board approvals to proceed with disbursement of settlement funds.

As such, we anticipate that the settlement will be completed and funds disbursed by the end of October 2024.

Thanks,

<image001.jpg>

Molshree Gupta
Partner
KJAR, McKENNA & STOCKALPER, LLP

From: Thomas Ferlauto <tmf@lawofficetmf.com>
Sent: Monday, July 8, 2024 4:16 PM
To: Molshree Gupta <mgupta@kmslegal.com>
Cc: Patrick Stockalper <pstockalper@kmslegal.com>; Arlene King <aking@kmslegal.com>; Philip Cohen <pcohen@pcohenlaw.com>; Barbara Ezra <bezra@kmslegal.com>; Maria L. Nixon <mnixon@kmslegal.com>
Subject: Re: (610-2) Assif, Joshua v. County of Los Angeles / Request for W-9s

Counsel:

It has now been 11 months since the settlement agreement was fully executed and delivered, and we cannot even get a straight answer from you as to where in the process the settlement is. This is far beyond what was contemplated when my client agreed to the settlement — approaching twice as long. I do not believe that this process has been pursued in good faith. I believe absolutely nothing was done for the first six months, and there has been nothing but foot dragging since then. If my client is not provided with the settlement proceeds by the anniversary of the delivery of the executed settlement agreement, we will bring an ex parte application to make the Court aware of the situation. We reserve the right to ask the Court to enforce the terms of the settlement and/or to set aside the settlement and demand the matter be reset for the earliest available trial date.

Do not bother thanking me for my patience, because it is at its end.

Sincerely,

Thomas M. Ferlauto

LAW OFFICE OF
THOMAS M. FERLAUTO
A Professional Law Corporation

Direct Dial 310-849-7554

25201 Paseo de Alicia, Suite 270
Laguna Hills, CA 92653
Phone: 949-334-8650
Facsimile: 949-334-8691

Email: TMF@lawofficeTMF.com
Website: www.lawofficeTMF.com

The information contained in this e-mail message is information protected by attorney-client and/or the attorney/work product privilege. It is intended only for the use of the individual named above and the privileges are not waived by virtue of this having been sent by e-mail. If the person actually receiving this e-mail or any other reader of the e-mail is not the name recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please delete it immediately.

On Jun 10, 2024, at 11:33 AM, Molshree Gupta

<mgupta@kmslegal.com> wrote:

Good morning:

Thank you for your patience. We have just been advised that, while the process is taking much longer than was originally expected, we are anticipating the completion of review within 3-4 weeks, and then will require an additional 2-3 months to make sure the CAP/SCAP is approved by the two boards (Contact Cities and Board of Supervisor).

Also, just pointing out that the Settlement Agreement states the process "**will take a minimum of 180 days.**"

Thanks again for your patience. We will let you know as soon as we hear anything further from the County.

<image001.jpg>

Molshree Gupta

Partner

KJAR, McKENNA & STOCKALPER, LLP

From: Thomas Ferlauto <tmf@lawofficetmf.com>

Sent: Friday, June 7, 2024 12:44 PM

To: Molshree Gupta <mgupta@kmslegal.com>

Cc: Patrick Stockalper <pstockalper@kmslegal.com>;

Arlene King <aking@kmslegal.com>; Philip Cohen

<pcohen@pcohenlaw.com>; Barbara Ezra

<bezra@kmslegal.com>; Maria L. Nixon

<mnixon@kmslegal.com>

Subject: Re: (610-2) Assif, Joshua v. County of Los Angeles / Request for W-9s

It is now coming up on ten (10) months since the settlement agreement was fully executed and delivered.

Where exactly are we on the CAP/SCAP process? You indicated that would be approved within six months. We are far beyond that. When will my client be paid what he is owed?

Thanks,

Tom

LAW OFFICE OF
THOMAS M. FERLAUTO
A Professional Law Corporation

Direct Dial 310-849-7554

25201 Paseo de Alicia, Suite 270
Laguna Hills, CA 92653
Phone: 949-334-8650
Facsimile: 949-334-8691

Email: TMF@lawofficeTMF.com
Website: www.lawofficeTMF.com

The information contained in this e-mail message is information protected by attorney-client and/or the attorney/work product privilege. It is intended only for the use of the individual named above and the privileges are not waived by virtue of this having been sent by e-mail. If the person actually receiving this e-mail or any other reader of the e-mail is not the name recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please delete it immediately.

On May 3, 2024, at 6:03 PM, Molshree
Gupta <mgupta@kmslegal.com> wrote:

Good afternoon, and thank you for your
patience.

As outside counsel, our insight into the
process is limited. Based on
information and belief, to approve the
subject settlement, Defendant COUNTY
requires a Corrective Action Plan (CAP)
and Summary Corrective Action Plan
(SCAP). Preparation of a CAP/SCAP
requires comprehensive review of the
underlying incident and applicable laws,
legal authorities and precedent, policies
and procedures, etc.

Based on prior experience with the
process, we believed that the
settlement approval process, including
approval of the CAP/SCAP, may take up
to 6 months. However, based on more
recent experience, it appears that the
settlement approval process, including
approval of the CAP/SCAP, may take 9-
12 months for settlement sums as large
as the one in this action.

That being said, once the settlement is
approved by Defendant COUNTY, it can
disburse the settlement funds to

Plaintiff quickly to allow for a dismissal
to be filed.

Thanks,

<image001.jpg>

Molshree Gupta
Partner
**KJAR, McKENNA & STOCKALPER,
LLP**

<Motion To Enforce.pdf>